

EXHIBIT A

From: Mark Pennak <m.pennak@me.com>
Sent: Friday, January 6, 2023 7:59 AM
To: Janet Carter
Cc: Lattner, Edward; patricia.kane@montgomerycountymd.gov; Ashbarry, Erin; Johnson, Matthew; Pollack, Barry J.; Andrews, Lauren Cassady
Subject: [EXTERNAL] Re: MSI v. Montgomery County amicus

Janet: We remain of the view, local rule notwithstanding, that an amicus brief filed a mere 3 days before the reply is due, is inappropriately late, especially when the request for consent, like yours, is made at the last minute. So, no, plaintiffs do not consent.

Sent from my iPad

On Jan 5, 2023, at 6:16 PM, Janet Carter <jcarter@everytown.org> wrote:

Dear Mr. Pennak:

Under Local Rule 105.12(e), a motion for leave to file an amicus brief "must be filed, except with permission of the Court, no later than seven days after the filing of the principal brief of the party being supported." Accordingly, a motion and proposed brief filed on Friday, January 6, seven days after the filing of the brief it supports (the County's brief, filed Friday, December 30), is timely. Please let me know if this changes your position with respect to our motion. If not (or if I don't hear from you), our motion will state that you do not consent on the grounds you set out in your email.

Best regards,
Janet Carter

On Thu, Jan 5, 2023 at 5:29 PM Mark Pennak <m.pennak@me.com> wrote:

Dear: Ms Carter: Plaintiffs do not consent to such a filing of an amicus brief. Such a brief, if it was to be filed, should have been filed with the County's brief. A filing on January 6, a mere 3 days before plaintiffs' reply is due, is late and leaves insufficient time for plaintiffs to respond to any arguments that Everytown would proffer in such a brief. Nor would an extension of time for such a response be appropriate as this case is before the Court on emergency motions. Further delays because of an amicus brief is unacceptable. Mark W. Pennak, Counsel for Plaintiffs.

Sent from [Mail](#) for Windows

From: [Janet Carter](#)
Sent: Wednesday, January 4, 2023 11:12 PM
To: m.pennak@me.com; [Lattner, Edward](#); patricia.kane@montgomerycountymd.gov; [Ashbarry, Erin](#); [Johnson, Matthew](#)

Cc: [Pollack, Barry J.](#); [Andrews, Lauren Cassidy](#)

Subject: MSI v. Montgomery County amicus

Dear counsel,

Everytown for Gun Safety intends to move for leave to file an amicus brief on Friday, Jan 6, 2023, in support of Defendant Montgomery County in MSI v. Montgomery County, Consolidated Case Nos. 8:21-cv-01736-TDC (lead), 8:22-cv-01967-DLB (D. Md.). Please let me know whether you consent to our motion.

Thanks, and best regards,

Janet Carter

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JANET CARTER | SENIOR DIRECTOR, ISSUES AND APPEALS
jcarter@everytown.org | 646-324-8174 | she/her

EVERYTOWN LAW
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